

By: Allison

H.B. No. 2567

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of Probate Court No. 3 of Bexar County,  
3 Texas, and the administration of the statutory probate courts in  
4 Bexar County.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 25.0171(c), Government Code, is amended  
7 to read as follows:

8 (c) Bexar County also has the following statutory probate  
9 courts:

- 10 (1) Probate Court No. 1 of Bexar County, Texas; ~~[and]~~  
11 (2) Probate Court No. 2 of Bexar County, Texas; and  
12 (3) Probate Court No. 3 of Bexar County, Texas.

13 SECTION 2. Section 25.0173, Government Code, is amended by  
14 amending Subsections (a) and (o) and adding Subsection (p) to read  
15 as follows:

16 (a) A statutory probate court in Bexar County has the  
17 general jurisdiction of a probate court as provided by Section  
18 25.0021. Probate Courts Nos. 1, [and] 2, and 3 have eminent domain  
19 jurisdiction and jurisdiction to decide the issue of title to real  
20 or personal property. Notwithstanding the local rules adopted  
21 under Section 74.093, the county clerk shall docket all eminent  
22 domain cases equally among ~~[in]~~ Probate Courts Nos. ~~[Court No.]~~ 1,  
23 ~~[and Probate Court No.]~~ 2, and 3.

24 (o) Notwithstanding the local rules adopted under Section

1 74.093, the county clerk shall:

2 (1) docket all mental health matters in Probate Court  
3 No. 1; and

4 (2) assign equally among the statutory probate courts  
5 in Bexar County and [shall] docket at random all other matters and  
6 proceedings filed in the statutory probate courts in Bexar County  
7 [even-numbered probate cases in Probate Court No. 2 and all  
8 odd-numbered probate cases in Probate Court No. 1].

9 (p) Notwithstanding Section 25.0022(h), in the absence,  
10 disqualification, or incapacity of a statutory probate judge in  
11 Bexar County or on the judge's request, the statutory probate  
12 judges in Bexar County may sit and act for each other in any probate  
13 matter or proceeding. A statutory probate judge in Bexar County  
14 may:

15 (1) hear and determine any matter or proceeding  
16 pending in another statutory probate court in Bexar County; or

17 (2) enter any order in the matter or proceeding that  
18 the judge of the other statutory probate court in Bexar County may  
19 enter.

20 SECTION 3. Section 25.0173(j), Government Code, is  
21 repealed.

22 SECTION 4. The Probate Court No. 3 of Bexar County, Texas,  
23 is created on September 1, 2023.

24 SECTION 5. Notwithstanding Section 25.0173, Government  
25 Code, as amended by this Act, the county clerk for Bexar County  
26 shall assign to Probate Court No. 3 of Bexar County, Texas,  
27 one-third of all cases pending on the effective date of this Act in

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1 Probate Court No. 1 of Bexar County, Texas, and Probate Court No. 2  
2 of Bexar County, Texas, that were filed before January 1, 2020.

3 SECTION 6. This Act takes effect September 1, 2023.